

AMENDED IN ASSEMBLY MAY 28, 2010

AMENDED IN ASSEMBLY APRIL 28, 2010

AMENDED IN ASSEMBLY APRIL 5, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 2287

Introduced by Assembly Member ~~Bass Monning~~

February 18, 2010

~~An act to add Chapter 1.6 (commencing with Section 12096) to Part 2 of Division 3 of Title 2 of the Government Code, relating to economic development. An act to add Chapter 5 (commencing with Section 127640) to Part 2 of Division 107 of the Health and Safety Code, relating to public health.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2287, as amended, ~~Bass Monning. Office of Economic Development: California Business Investment Services Program. California Health and Human Services Agency: public health: federal grant opportunities.~~

Existing federal law, the Patient Protection and Affordable Care Act (PPACA)(Public Law 111-148) requires the federal Secretary of Health and Human Services to award competitive community transformation grants to state and local governmental agencies and community-based organizations for the implementation, evaluation, and dissemination of evidence-based community preventive health activities in order to reduce chronic disease rates, prevent the development of secondary conditions, address health disparities, and develop a stronger evidence base of effective prevention programming.

This bill would require the California Health and Human Services Agency to direct the appropriate departments within the agency to apply for federal community transformation grants under the PPACA, as specified. The bill would require the agency to direct the appropriate departments within the agency to make information regarding federal grant opportunities under the PPACA available to local government agencies, local public health departments, school districts, state and local nonprofit organizations, and Indian tribes through existing channels, and by placing a link on each relevant department's existing Internet Web site.

~~Existing law provides for various state programs and services for the purpose of attracting and retaining businesses in this state. Existing law creates the Office of Small Business Advocate in the Office of Planning and Research in the Governor's office.~~

~~This bill would create the Office of Economic Development in the Governor's office, to be directed by a secretary appointed by the Governor. The bill would create the California Business Investment Services Program, as specified, within the Office of Economic Development, under the authority of the secretary, for the purpose of serving employers, corporate executives, business owners, and site location consultants who are considering California for business investment and expansion.~~

~~This bill would require each state agency to administer its procurement and contracting processes in a manner to meet or exceed a goal of 25% small business participation, and to identify a Small Business Advocate at the agency and encourage them to develop and share innovative procurement and contracting practices from the public and private sectors to increase opportunities for small businesses. The bill would impose specified supervisory requirements on the secretary and the Department of General Services to monitor agencies and ensure compliance with the small business participation goals, as specified.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. *The Legislature finds and declares as follows:*
- 2 (a) *Given the significant fiscal challenges ahead for California,*
- 3 *it is important for the Legislature to ensure that state agencies*
- 4 *maximize their opportunity to obtain additional federal funds,*

1 particularly in cases where doing so could offset state General
2 Fund costs or assist the state with the transformation of
3 California's health care system, under the federal Patient
4 Protection and Affordable Care Act (PPACA)(Public Law
5 111-148).

6 (b) It is the intent of the Legislature in enacting this act to take
7 full advantage of the opportunities through the PPACA to improve
8 state health care programs and invest in health prevention and
9 education, with the goal of building, promoting, and sustaining
10 healthy communities through reducing chronic disease rates,
11 eliminating conditions that lead to health disparities, and
12 increasing the cultural and linguistic appropriateness of health
13 services.

14 SEC. 2. Chapter 5 (commencing with Section 127640) is added
15 to Part 2 of Division 107 of the Health and Safety Code, to read:

16
17 CHAPTER 5. COMMUNITY TRANSFORMATION GRANTS
18

19 127640. (a) The California Health and Human Services Agency
20 shall direct the appropriate departments within the agency to apply
21 for federal grants under Section 4201 of the federal Patient
22 Protection and Affordable Care Act (Public Law 111-148) to allow
23 the state to develop a stronger evidence base of effective prevention
24 programming and engage in preventive health activities that
25 achieve, at a minimum, all of the following:

26 (1) Creating healthier school environments, including, but not
27 limited to, healthy food options and physical activity.

28 (2) Creating an infrastructure to support active living and access
29 to nutritious foods.

30 (3) Developing and promoting programs targeting a variety of
31 age levels to increase nutrition, physical activity, smoking
32 cessation, and safety, as well as address special population needs.

33 (4) Working to highlight healthy food options.

34 (5) Assessing and implementing worksite wellness programs.

35 (6) Prioritizing strategies to reduce racial and ethnic disparities.

36 (b) The agency shall direct the appropriate departments within
37 the agency to make information regarding federal grant
38 opportunities under Section 4201 of the federal Patient Protection
39 and Affordable Care Act (Public Law 111-148) available to local
40 government agencies, local public health departments, school

1 *districts, state and local nonprofit organizations, and Indian tribes*
2 *through existing channels, and by placing a link on each relevant*
3 *department's existing Internet Web site.*

4 ~~SECTION 1. Chapter 1.6 (commencing with Section 12096)~~
5 ~~is added to Part 2 of Division 3 of Title 2 of the Government Code,~~
6 ~~to read:~~

7
8 ~~CHAPTER 1.6. OFFICE OF ECONOMIC DEVELOPMENT~~

9
10 ~~Article 1. General~~

11
12 ~~12096. (a) The Office of Economic Development is hereby~~
13 ~~established in state government within the Governor's office. The~~
14 ~~office shall be under the direct control of a secretary, who shall be~~
15 ~~responsible to the Governor.~~

16 ~~(b) The Governor shall appoint the Secretary of the Office of~~
17 ~~Economic Development, subject to confirmation by the Senate,~~
18 ~~who shall perform all duties, exercise all powers, assume and~~
19 ~~discharge all responsibilities, and carry out and effect all purposes~~
20 ~~vested by law in the office, including contracting for professional~~
21 ~~or consultant services in connection with the work of the office.~~

22 ~~(c) The salary of the Secretary of the Office of Economic~~
23 ~~Development shall be fixed pursuant to Section 12001.~~

24
25 ~~Article 2. California Business Investment Services Program~~

26
27 ~~12096.5. (a) The California Business Investment Services~~
28 ~~Program is hereby created within the Office of Economic~~
29 ~~Development.~~

30 ~~(b) The program shall be under the direct authority of the~~
31 ~~secretary.~~

32 ~~(c) The purpose of the program is to serve employers, corporate~~
33 ~~executives, business owners, and site location consultants who are~~
34 ~~considering California for business investment and expansion.~~
35 ~~Among other things, the program shall provide:~~

36 ~~(1) Economic and demographic data.~~

37 ~~(2) Financial information to help link businesses with state and~~
38 ~~local public and private programs.~~

39 ~~(3) Workforce information including labor availability, training,~~
40 ~~and education programs.~~

1 ~~(4) Transportation and infrastructure information.~~
2 ~~(5) Assistance in obtaining state and local permits.~~
3 ~~(6) Information on tax credits and other incentives.~~
4 ~~(7) Permitting, siting, and other regulatory information pertinent~~
5 ~~to business operations in California.~~

6 ~~(d) The program shall have a well-advertised telephone number,~~
7 ~~an interactive Internet Web site, and an administrative structure~~
8 ~~that effectively supports the facilitation of business development~~
9 ~~and investment in the state.~~

10 ~~(e) In implementing the program, the secretary shall establish~~
11 ~~and implement a process for convening strike teams on key~~
12 ~~business development situations, including, but not limited to,~~
13 ~~attracting new businesses, relocation of large manufacturers, or~~
14 ~~the closure of a large business employer.~~

15 ~~(f) In implementing the program, the secretary shall work~~
16 ~~cooperatively with local, regional, federal, and other state public~~
17 ~~and private marketing institutions and trade organizations in~~
18 ~~attracting, retaining, and helping businesses to grow and be~~
19 ~~successful in California.~~

20
21 **Article 3. Small Business Procurement Goals**
22

23 ~~12098.—(a) (1) Each state agency shall administer its~~
24 ~~procurement and contracting processes in a manner to meet or~~
25 ~~exceed a goal of 25 percent small business participation, as~~
26 ~~described in Executive Order S-02-06, and using existing resources.~~

27 ~~(2) Each state agency shall identify a Small Business Advocate~~
28 ~~at the state agency and encourage them to develop and share~~
29 ~~innovative procurement and contracting practices from the public~~
30 ~~and private sectors to increase opportunities for small businesses,~~
31 ~~as described in Executive Order S-02-06, and using existing~~
32 ~~resources.~~

33 ~~(b) In the course of implementing the California Business~~
34 ~~Investment Services Program pursuant to Section 12096.5, the~~
35 ~~secretary shall ensure that the head of each state agency complies~~
36 ~~with the state procurement and contracting requirements described~~
37 ~~in this section to the extent practicable under state law. The~~
38 ~~secretary shall also collaborate with the Small Business Advocates~~
39 ~~identified by each state agency pursuant to this section to facilitate~~
40 ~~the development and sharing of innovative procurement and~~

1 contracting practices from the public and private sectors to increase
2 opportunities for small businesses.

3 ~~(e) (1) The Director of General Services shall provide the~~
4 ~~secretary with a copy of the annual report that the director receives~~
5 ~~for each state agency, for purposes of assessing successes and~~
6 ~~deficiencies of each state agency in meeting the state procurement~~
7 ~~and contracting goals described in this section.~~

8 ~~(2) The secretary, in conjunction with the Director of General~~
9 ~~Services, shall monitor the progress of all state agencies towards~~
10 ~~meeting the small business participation goal based on information~~
11 ~~obtained from the annual report. The secretary, in cooperation with~~
12 ~~the Small Business Advisory Council that is within the Department~~
13 ~~of General Services, shall notify the head of each state agency of~~
14 ~~the agency's successes and deficiencies with regard to meeting~~
15 ~~the small business participation goal. The secretary shall also~~
16 ~~submit the notification information to the California Small Business~~
17 ~~Advocate in the Governor's Office of Planning and Research, or~~
18 ~~its successor.~~